

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS (1)

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

William Ratusnock and I, or we, Stella Ratusnock legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part 'ereof,

hereby petition for a Variance from Section 409.2.b(3) to allo 1 10 parling spaces in lieu of the required 49 spaces and Section 232.1 (303.2) to 11 ow a

front yard setback of 7' for the existing dwelling in lieu of the maximum

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Due to the configuration and size of this lot, your Petitioners are unable to comply with the Zoning Regulations pertaining to off-

House has been existing for a number of years, and other reasons to be determined at the hearing.

operty is to be posted and advertised as prescribed by Zoning Regulations.

or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this and further agree to and are to be bound by the zoning regulations and restrictions of Te County adopted pursuant to the Zoning Law For Baltimore County.

William Ratusnock Stello-Raturnock Stella Ratusnock Legal Owner Address 1 Homberg Avenue

Robert J. Petitioner's Attorney 809 Eastern Boulevard Baltimore, Maryland 21221

street parking.

RECEIVED

ORDER

ORDERED By The Zoning Commissioner of Baltimore County, this___ith_

February , 19780, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

____P.__M.

RE: PETITION FOR VARIANCES SE/S of Old Eastern Ave. and Homberg Ave., 15th District

: BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

WILLIAM RATUSNOCK, et ux, : Case No. 80-194-A

::::::

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

NE ZH

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman Deputy People's Counsel

John W. Hessian, III People's Counsel for Baltimore County County Office Building Towson, Maryland 21204

I HEREBY CERTIFY that on this 17th day of March, 1980, a copy of the aforegoing Order was mailed to Robert J. Romadka, Esquire, 809 Eastern Boulevard, Baltimore, Maryland 21221, Attorney for Petitioners.

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Robert J. Romadka, Esquire 809 Fastern Boulevard Ealtimore: Maryland 2122).

Hr. Frank Lee 1277 Heighborn Avenue Bultimore, Maxyland 21237

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your Petition has been received and accepted for filing this ______4th February

Zoning Commissioner

Petitioner William Fatusmock et ux Petitioner's Attorney Robert J. Roundke

Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204 000 Nicholas B. Commodari

> Chairman Robert J. Romadka, Esquire 809 Eastern Boulevard MEMBERS

Bureau of Department of State Roads Commission

Zoning Administration

Fire Prevention Health Dopartment Project Planning Building Department Board of Education

March 18, 1980

Baltimore, Maryland 21221

RE: Item No. 131 Petitioner - William Ratusnock et ux Variance Petition

Baltimore, Maryland 21221

Dear Mr. Romadka:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following omments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your client's proposal to subdivide the existing property, which is improved with a tavern and an individual dwelling, this Variance request isrequired.

The submitted site plans must be revised to incorporated the comments of the Bureau of Engineering, comcerning the proposed widening of Homberg Avenue and the resultant front setback of the existing dwelling, as well as those oc ments of the Department of Traffic Engineering. In view of the fact that my comments are being submitted at a relatively late date, I suggest that you have some type of verbal contact with Mr. Flanigan in order to determine if any problems are anticipated with his request.

Robert J. Romadka, Esquire Page 2 March 18, 1980

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

Chairman Zoning Plans Advisory Committee

Enclosures

NBC:mkh

cc: Mr. Frank Lee 1277 Neighbors Avenue Baltimore, Maryland 21237



February 4, 1980

Mr. William E. Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Item #131 (1979-1980) Property Owner: William & Stella Ratusnock S/LS Old Eastern Ave. and Homberg Ave. Existing Zoning: B.L.-C.S.A. Proposed Zoning: Variance to permit 10 parking spaces in lieu of the required 49 spaces. District: 15th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

This property comprises Lot 95 and part of Lot 96, "Henry Homberg's Subdivision", recorded W.P.C. 6, Folio 124.

Subdivision and/or resubdivision of property within Baltimore County is subject to Baltimore County Subdivision Regulations.

The Eastern Boulevard (Md. 150)-Old Eastern Avenue intersection is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore

Homberg Avenue, an existing public road, is proposed to be improved in the future as a 40-foot closed section roadway on a 60-foot right-of-way. Highway right-of-way widening, including a fillet area for sight distance and any necessary revertible easements for slopes, will be required in connection with any grading or building permit application.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

The construction and/or reconstruction of concrete sidewalks, curb and gutter, entrances, aprons, etc. will be the full responsibility of the Petitioner.

Item #131 (1979-1980) Property Owner: William & Stella Ratusnock February 4, 1980

Highways: (Cont'd)

The status of the 15-foot gravel surfaced alley is unknown to this office. It is the responsibility of the Petitioner to ascertain and clarify rights therein. This alley, if improved in the future, would be constructed to conform with Baltimore County Standards as a 20-foot commercial-type alley on a 24-foot right-of-way.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are serving this property. The nearest fire hydrant to this site is located on the west side of Eastern Boulevard, east of Marlyn Avenue.

> ELISWORTH N. DIVER, P.E. Chief, Bureau of Engineering

END: EAM: FWR: ss

cc: J. Trenner J. Wimbley W. Munchel

I-SW Key Sheet 6 NE 29 Pos. Sheet NE 2 H Topo 97 Tax Map

JUI 23 1030

23 rd day of April, 1980, that the herein Petition for Variances to permit ten parking spaces in lieu of the required forty-nine spaces and to permit a front yard setback of seven feet for the existing dwelling in lieu of the maximum requirement of twenty-seven feet, in accordance with the site plan prepared by Frank S. Lee, dated October 18, 1979, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restric-

- 1. Compliance with the regulations regarding the proposed subdivision of the subject property.
- 2. Compliance with the comments submitted by the Department of Traffic Engineering, dated February 20, 1980.
- The parking variance shall only apply to the present use of the property as a tavern and only to the extent of its present square footage, inasmuch as the variance has been granted on the basis that the tavern has been in existence since prior to the adoption of the parking requirements of the Zoning Regulations.
- The front yard variance shall be effective only if the proposed widening occurs to Homberg Avenue and shall not be used for the purpose of adding any improvements to the existing dwelling.
- , A revised site plan must be filed, incorporating the above restrictions and the comments submitted by the Department of Public Works, dated February 4, 1980, regarding the proposed widening of Homberg Avenue, and approved by the Department of Public Works and the Office of Planning and Zoning.

Zoning Commissioner of Baltimore County



JOHN D. CTYFFERT DIRECTOR

March 10, 1980

Mr. William Hammond. Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

bearing on this petition.

Comments on Item #131, Zoning Advisory Committee Meeting, January 2, 1980, are as follows:

Property Owner: William and Stella Ratusnock Location: SE/S Old Eastern Avenue and Homberg Avenue Existing Zoning: B.L.-C.S.A. Proposed Zoning: Variance to permit 11 parking spaces in lieu of the required 49 spaces Acres: 15th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

Current Planning and Development

John L. Wembley per Sot

department of traffic engineering TOWSON, MARYLAND 21204

STEPHEN E. COLLINS DIRECTOR

May 12, 1980

Mr. William Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Item No. 131 Property Owner: Location: Existing Zoning: Proposed Zoning:

- ZAC - January 2, 1980 (REVISED COMMENTS) William & Stella Ratusnock SE/S Old Eastern Ave. & Homberg Ave. B.L.-C.S.A.

Variance to permit 11 parking spaces in lieu of the required 49 spaces.

Acres: District:

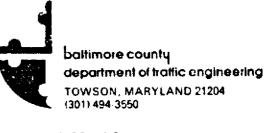
15th

Dear Mr. Hammond:

This site should be restricted to one entrance. The entrance should be 24 ft. wide. There is no reason why these improvements cannot wait until Homberg Avenie is rebuilt.

> Michael S. Flanigan Engineer Associate II

MSF/hmd



STEPHEN E. COLLINS

February 20, 1980

Mr. William Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Property Owner: Location: Existing Zoning: Proposed Zoning:

- ZAC - January 2, 1980 William & Stella Ratusnock SE/S Old Eastern Ave. & Homberg Ave. B.L.-C.S.A.

Variance to permit 11 parking spaces in lieu of the required 49 spaces.

Dear Mr. Hammond:

Acres:

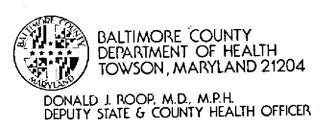
District:

The requested variance to parking can be expected to cause parking problems in the area. This site should be restricted to one entrance and that entrance should be 24 feet wide.

15th

Very truly yours,

Michael S. Flanigan Engineer Associate II



ORDER RECEIVED FOR FILING

February 21, 1980

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #131, Zoning Advisory Committee Meeting of January 2, 1980, are as follows:

Property Owner: Location: Existing Zoning: Proposed Zoning:

SE/S Old Eastern Ave. & Homberg Ave. B.L. C.S.A. Variance to permit 11 parking spaces in lieu of the required 49 spaces.

William & Stella Ratusnock

Acres: District:

Metropolitan sewer and water exist, therefore no health hazards are anticipated.

15th

Director BUREAU OF ENVIRONMENTAL SERVICES

C

IJF:ph



January 28, 1980

Mr. William Hammond Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: Nick Commodari, Chairman Zoni-z Plans Advisory Committee

Re: Property Owner: William & Stella Ratusnock

SE/S Old Eastern Ave. & Homberg Ave.

Zoning Agenda: Meeting of 1/2/80 Item No:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or ______ feet along an approved road in accordance with Beltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations. () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976

() 6. Site plans are approved as drawn.

Edition prior to occupancy.

(x) 7. The Fire Prevention Bureau has no comments, at this time.

Special Inspection Division

battimore county TOWSON, MARYLAND 21204

Ted Zaleski, Jr.

January 15, 1980

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 2120

Dear Mr. Hammond:

Comments on Item #131 Zoning Advisory Committee Meeting, January 2, 1980 are as follows:

William & Stella Ratusnock Existing Zoning: Proposed Zoning:

SE/S Old Eastern Ave. & Homberg Ave. B.L. - C.S.A. Variance to permit 11 parking spaces in lieu of the

required 49 spaces.

XA. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1978 Edition and the 1971 Supplement, State of Maryland Code for the Handicapped and aged and other applicable codes.

A permit shall be required before construction can begin.

X C. Additional razing, etc. Permits shall be required. D. Building shall be upgraded to new use - requires alteration permit.

E. Three sets of construction drawings will be required to file an application for a building permit.

X P. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal may be required to file an application for a building permit.

G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.

H. Requested setback variance conflicts with the Baltimore County Building Code. See Section ______.

I. No Comment.

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not to be construed as the full extent of any permit.

Charles E. Burnham, Chief

CZB: rrj

BALTIMORE COUNTY PUBLIC SCHOOLS Towson, Maryland - 21204

Robert Y. Dubel, Superintendent

Date: January 11, 1980

Mr. William E. Hammond Zoning Commissioner Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

Z.A.C. Meeting of: January 2, 1980

RE: Item No: 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136 Property Owner: Location: Present Zoning: Proposed Zoning:

District: No. Acres:

Dear Mr. Fammond:

All of the above have no bearing on student population.

Wm. Nick Petrovich, Assistant Department of Planning

Very truly yours,

WNP/bp

WL 23 1956

FRANK S. LEE Registered Land Surveyor

1277 NEIGHBORS AVE. — BALTIMORE, MD. 21237 December 12, 1979

Southeast corner of Old Eastern Avenue and Homberg Avenue 15th District Baltimore County, Maryland

Beginning for the same at the corner formed by the intersection of the south side of Old Eastern Avenue with the east side of Homberg Avenue, thence running and binding on the east side of Homberg Avenue as follows: - South 6 degrees 14 minutes East 76.74 feet, by a line curving to the left with a radius of 130 feet for a distance of 26.87 feet, thence leaving Homberg Avenue for two lines of division as follows: - North 68 degrees 30 minutes East 86.72 feet and North 6 legrees 14 minutes West 80.61 feet to the south side of Old Eastern Avenue, thence running and binding on Old Eastern Avenue South 83 degrees 46 mibutes West 86.40 feet to the place of beginning.

Containing 7975 square feet of land more or less.

ZONING: Petition for Variances parking and front yard setback

Eastern Avenue and Homberg

LATE & TIME: Tuesday, March 28, 1980 at 1:30 P.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland.
The Eoning Commissioner of Baifmore County, by authority of the
Zoning Act and Regulations of
Baltimore County, will hold a public
learing:

Learing:
Petition for Variances to allow 10

Petition for Variances to allow to parking spaces in lieu of the recuired 49 spaces and to allow a front yard setback of 7 feet for the existing dwelling in lieu of the maximum requirement of 27 feet. The Zoning Regulation to be excepted as follows:

Bection 409.2.b(3)—Parking, one for each 50 square feet of total floor

Section 233.1—Front yard area regulations
Section 808.2—Front yard depths in residence and business somes
All that parcel of land in the Fifteenth District of Baltimore County
Beginning for the same at the corner formed by the intersection of the south side of Old Eastern Avenue with the east side of Homberg Avenue, thence running and binding on the east side of Homberg Avenue as follows:—South 6 degrees 14 minutes Bast 76.74 feet, by a line curving to the left with a radius of 130 feet for a distance of 26.87 feet, thence leaving Homberg Avenue for two lines of division as follows:—North 58 degrees 30 minutes East 86.72 feet and North 6 degrees 14 minutes West 80.61 feet to the south side of Old Eastern Avenue, thence

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more or less.

Being the property of William Ratusnock, et uz, as shown on plat plan filed with the Zoning Depart-

ment
Hearing Date: Tuesday, March 25,
1980 at 1:30 P.M.
Public Hearing: Room 103, County Office Building, 111 W. Chesapeake Avenue. Towson, Maryland.
By Order Of
WILLIAM E. HAMMOND.

of Baltimore County

March & managament and appendix

LATE & TIME: Tuesday, March 25,



MILLIAM E. FAMMOND ZONIMG COMMISSIONIER

April 23, 1980

Robert J. Romadka, Esquire Germania Federal Building 809 Eastern Boulevard Baltimore, Maryland 21221

> RE: Petition for Variances SE/S of Old Eastern and Homberg Avenues - 15th Election District William Ratusnock, et ux -Petitioners NO. 80-194-A (Item No. 131)

Dear Mr. Romadka:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours

WILLIAM E. HAMMOND Zoning Commissioner

WEH/srl

Attachments

cc: John W. Hessian, III, Esquire People's Counsel



INTER-OFFICE CORRESPONDENCE

Mr. W. f. Hammond March 11, 1980 Zoning Commissioner John D. Seyffert, Director Office of Planning and Zoning

Petition for Variances for parking and front yard setback Southeast side of Old Eastern Avenue and Hamberg Avenue Petitioner - William Ratusnock, et ux

Petition No. 80-194-A Item 131

Fifteenth District

HEARING: Tuesday, March 25, 1980 (1:30 P.M.)

Since both the restaurant and dwelling are existing uses, this office offers no comment as to whether or not the petitioner's request should be granted.

JDS:JGH:ab

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Miam Returnech et cex

part of eventing duelling boing Hollery

Location of property: 5E15 Cell Eastern dee E

PETITION FOR VARIANCE 200 In 15th District Zoning: Petition for Variance

Location: Southeast side of Old Eastern avenue and

Homberg avenue Date & Time: Tuesday, March

Fublic Hearing: Room 108, County Ofice Building, 111 W.

Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public

Petition for Variances to allow 10 parking spaces in lieu of the required 49 spaces and to allow a front yard setback of 7

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TUESDAY, MARCH 25, 1900

AT 1:30 P.M.

WILLIAM E. HAMMOND

* # of Baltimore County-

The second secon

Public Hearing: Room 106, County Office Building, 111 W.

Hearing Date:

BY ORDER OF

excepted as follows

25, 1980 at 1:30 P.M.

2 rigns

The Essex Times

30-194-A

Date of Posting 3/8/80

This is to Certify, That the annexed Um Katuspach

was inserted in the Essex Times, a newspaper printed and published in Baltimore County, once in 6 th

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 6 19.80 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., amonoinceach day of ____Karch____, 1980_, the first publication appearing on the___6th____day of__ March_____

THE JEFFERSONIAN,

Cost of Advertisement, \$_____

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your Petition has been received this 2/ day of Filing Fee \$ 25

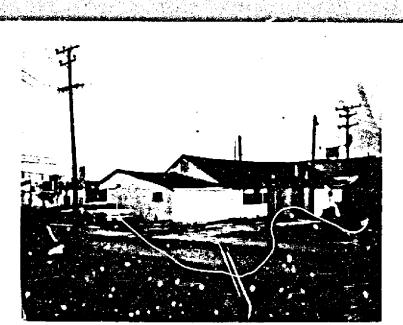
William E. Hammond, Zoning Commissioner

*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

No. 86373 BALTIMORE COUNTY, MARYLAND MISCELLANEOUS CASH RECEIPT DATE March 28, 1980 ACCOUNT 01-662 William R. Ratusnock FOR: Advertising and Posting for Case No. 80-194-4 65.13m 27003AN 2 VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND OFFICE OF FINE CE - REVENUE DIVISION "
MISCELLANEOUS CASH RECEIPT

FOR: Filing Yee for Care No. 80-194-A 21 1 1 SHE 27 25.00 M





PETITION MAPPING PROGRESS SHEET Wall Map Original Duplicate 200 Sheet Tracing FUNCTION date by date by date by date by date by Descriptions checked and outline plotted on map Petition number added to Denied Granted by ZC, BA, CC, CA Revised Plans: Change in outline or description____Yes

he 86302

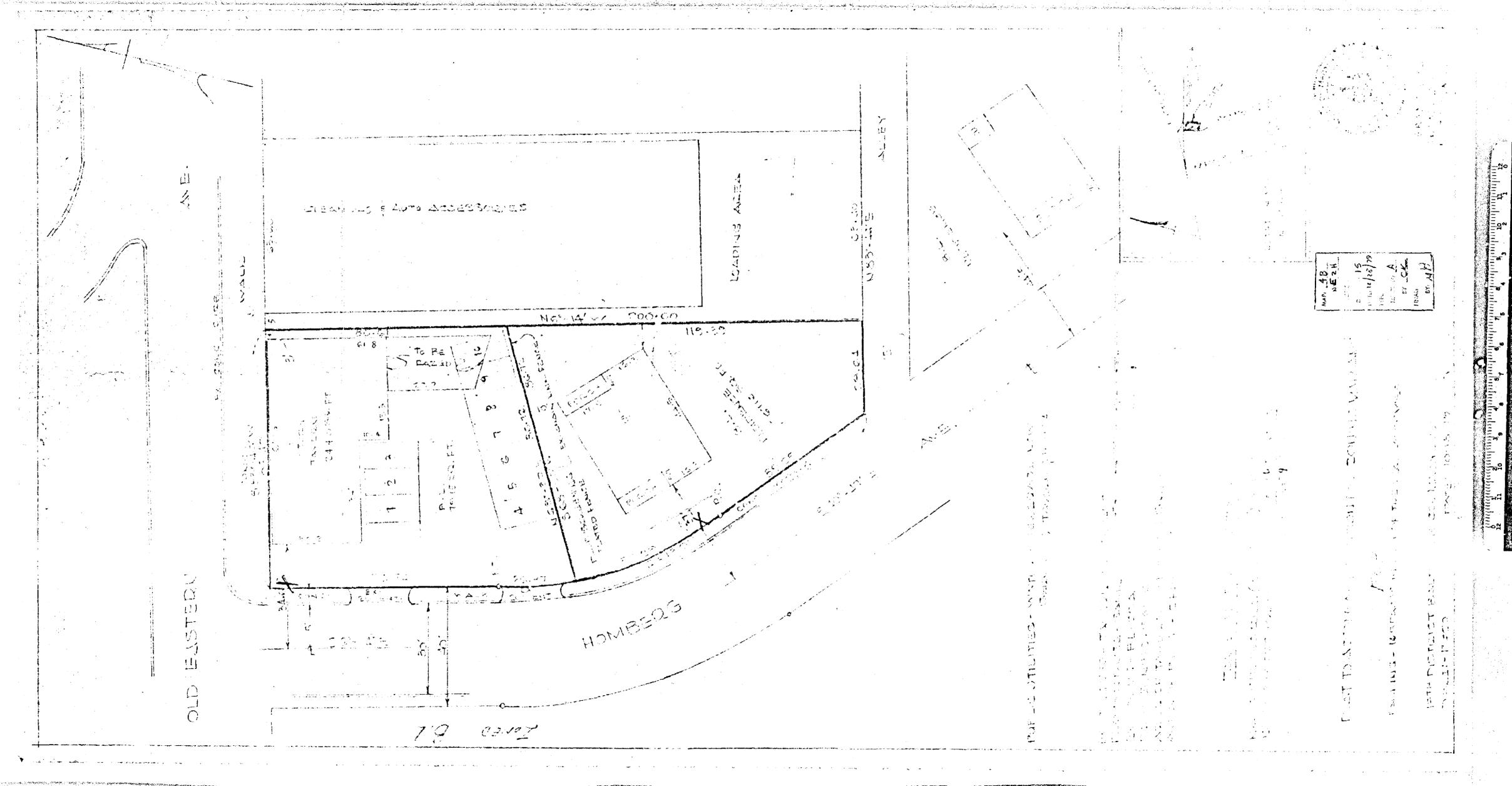
DATE February 26, 1980 ACCOUNT 01-662

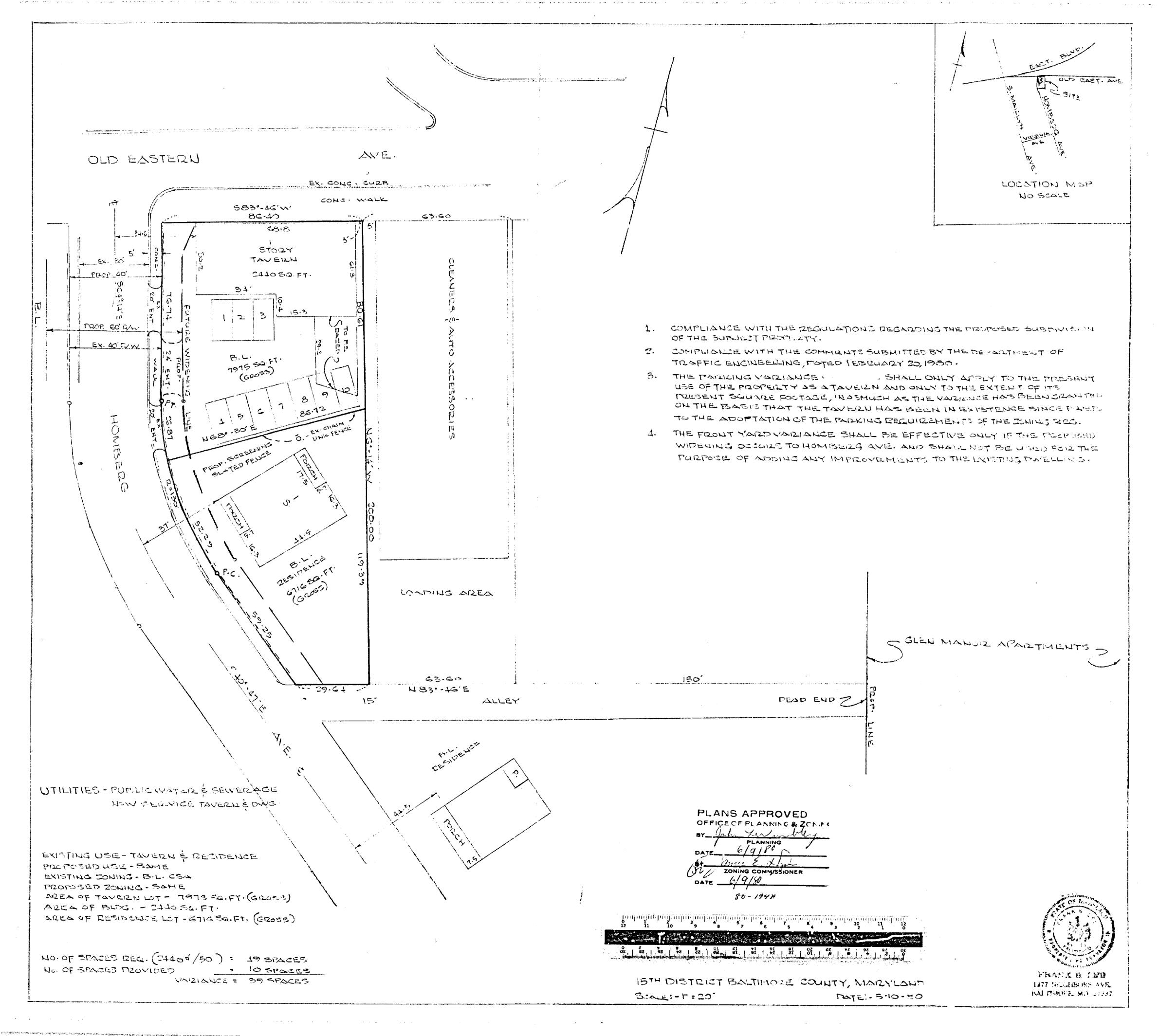
Robert J. Rowadka, Esquire

VALIDATION OR SIGNATURE OF CASHIER

Previous case:

JUL 23 1930





PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS (1)

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

William Ratusnock and I, or we, Stella Ratusnock legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part 'ereof,

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Due to the configuration and size of this lot, your Petitioners are unable to comply with the Zoning Regulations pertaining to off-

House has been existing for a number of years, and other reasons to be determined at the hearing.

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William Ratusnock Stello-Raturnock Stella Ratusnock Legal Owner Address 1 Homberg Avenue

Robert J. Petitioner's Attorney 809 Eastern Boulevard Baltimore, Maryland 21221

street parking.

RECEIVED

ORDER

ORDERED By The Zoning Commissioner of Baltimore County, this___ith_

February , 19780, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

____P.__M.

RE: PETITION FOR VARIANCES SE/S of Old Eastern Ave. and Homberg Ave., 15th District

: BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

WILLIAM RATUSNOCK, et ux, : Case No. 80-194-A

::::::

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

NE ZH

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman Deputy People's Counsel

John W. Hessian, III People's Counsel for Baltimore County County Office Building Towson, Maryland 21204

I HEREBY CERTIFY that on this 17th day of March, 1980, a copy of the aforegoing Order was mailed to Robert J. Romadka, Esquire, 809 Eastern Boulevard, Baltimore, Maryland 21221, Attorney for Petitioners.

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Robert J. Romadka, Esquire 809 Fastern Boulevard Ealtimore: Maryland 2122).

Hr. Frank Lee 1277 Heighborn Avenue Bultimore, Maxyland 21237

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your Petition has been received and accepted for filing this ______4th February

Zoning Commissioner

Petitioner William Fatusmock et ux Petitioner's Attorney Robert J. Roundke

Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204 000 Nicholas B. Commodari

> Chairman Robert J. Romadka, Esquire 809 Eastern Boulevard MEMBERS

Bureau of Department of State Roads Commission

Zoning Administration

Fire Prevention Health Dopartment Project Planning Building Department Board of Education

March 18, 1980

Baltimore, Maryland 21221

RE: Item No. 131 Petitioner - William Ratusnock et ux Variance Petition

Baltimore, Maryland 21221

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The submitted site plans must be revised to incorporated the comments of the Bureau of Engineering, comcerning the proposed widening of Homberg Avenue and the resultant front setback of the existing dwelling, as well as those oc ments of the Department of Traffic Engineering. In view of the fact that my comments are being submitted at a relatively late date, I suggest that you have some type of verbal contact with Mr. Flanigan in order to determine if any problems are anticipated with his request.

Robert J. Romadka, Esquire Page 2 March 18, 1980

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

Chairman Zoning Plans Advisory Committee

Enclosures

NBC:mkh

cc: Mr. Frank Lee 1277 Neighbors Avenue Baltimore, Maryland 21237



February 4, 1980

Mr. William E. Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Item #131 (1979-1980) Property Owner: William & Stella Ratusnock S/LS Old Eastern Ave. and Homberg Ave. Existing Zoning: B.L.-C.S.A. Proposed Zoning: Variance to permit 10 parking spaces in lieu of the required 49 spaces. District: 15th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

This property comprises Lot 95 and part of Lot 96, "Henry Homberg's Subdivision", recorded W.P.C. 6, Folio 124.

Subdivision and/or resubdivision of property within Baltimore County is subject to Baltimore County Subdivision Regulations.

The Eastern Boulevard (Md. 150)-Old Eastern Avenue intersection is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore

Homberg Avenue, an existing public road, is proposed to be improved in the future as a 40-foot closed section roadway on a 60-foot right-of-way. Highway right-of-way widening, including a fillet area for sight distance and any necessary revertible easements for slopes, will be required in connection with any grading or building permit application.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

The construction and/or reconstruction of concrete sidewalks, curb and gutter, entrances, aprons, etc. will be the full responsibility of the Petitioner.

Item #131 (1979-1980) Property Owner: William & Stella Ratusnock February 4, 1980

Highways: (Cont'd)

The status of the 15-foot gravel surfaced alley is unknown to this office. It is the responsibility of the Petitioner to ascertain and clarify rights therein. This alley, if improved in the future, would be constructed to conform with Baltimore County Standards as a 20-foot commercial-type alley on a 24-foot right-of-way.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are serving this property. The nearest fire hydrant to this site is located on the west side of Eastern Boulevard, east of Marlyn Avenue.

> ELISWORTH N. DIVER, P.E. Chief, Bureau of Engineering

END: EAM: FWR: ss

cc: J. Trenner J. Wimbley W. Munchel

I-SW Key Sheet 6 NE 29 Pos. Sheet NE 2 H Topo 97 Tax Map

JUI 23 1030

23 rd day of April, 1980, that the herein Petition for Variances to permit ten parking spaces in lieu of the required forty-nine spaces and to permit a front yard setback of seven feet for the existing dwelling in lieu of the maximum requirement of twenty-seven feet, in accordance with the site plan prepared by Frank S. Lee, dated October 18, 1979, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restric-

- 1. Compliance with the regulations regarding the proposed subdivision of the subject property.
- 2. Compliance with the comments submitted by the Department of Traffic Engineering, dated February 20, 1980.
- The parking variance shall only apply to the present use of the property as a tavern and only to the extent of its present square footage, inasmuch as the variance has been granted on the basis that the tavern has been in existence since prior to the adoption of the parking requirements of the Zoning Regulations.
- The front yard variance shall be effective only if the proposed widening occurs to Homberg Avenue and shall not be used for the purpose of adding any improvements to the existing dwelling.
- , A revised site plan must be filed, incorporating the above restrictions and the comments submitted by the Department of Public Works, dated February 4, 1980, regarding the proposed widening of Homberg Avenue, and approved by the Department of Public Works and the Office of Planning and Zoning.

Zoning Commissioner of Baltimore County



JOHN D. CTYFFERT DIRECTOR

March 10, 1980

Mr. William Hammond. Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

bearing on this petition.

Comments on Item #131, Zoning Advisory Committee Meeting, January 2, 1980, are as follows:

Property Owner: William and Stella Ratusnock Location: SE/S Old Eastern Avenue and Homberg Avenue Existing Zoning: B.L.-C.S.A. Proposed Zoning: Variance to permit 11 parking spaces in lieu of the required 49 spaces Acres: 15th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

Current Planning and Development

John L. Wembley per Sot

department of traffic engineering TOWSON, MARYLAND 21204

STEPHEN E. COLLINS DIRECTOR

May 12, 1980

Mr. William Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Item No. 131 Property Owner: Location: Existing Zoning: Proposed Zoning:

- ZAC - January 2, 1980 (REVISED COMMENTS) William & Stella Ratusnock SE/S Old Eastern Ave. & Homberg Ave. B.L.-C.S.A.

Variance to permit 11 parking spaces in lieu of the required 49 spaces.

Acres: District:

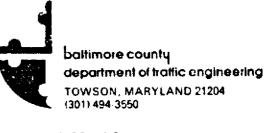
15th

Dear Mr. Hammond:

This site should be restricted to one entrance. The entrance should be 24 ft. wide. There is no reason why these improvements cannot wait until Homberg Avenie is rebuilt.

> Michael S. Flanigan Engineer Associate II

MSF/hmd



STEPHEN E. COLLINS

February 20, 1980

Mr. William Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Property Owner: Location: Existing Zoning: Proposed Zoning:

- ZAC - January 2, 1980 William & Stella Ratusnock SE/S Old Eastern Ave. & Homberg Ave. B.L.-C.S.A.

Variance to permit 11 parking spaces in lieu of the required 49 spaces.

Dear Mr. Hammond:

Acres:

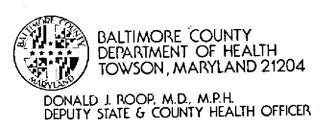
District:

The requested variance to parking can be expected to cause parking problems in the area. This site should be restricted to one entrance and that entrance should be 24 feet wide.

15th

Very truly yours,

Michael S. Flanigan Engineer Associate II



ORDER RECEIVED FOR FILING

February 21, 1980

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #131, Zoning Advisory Committee Meeting of January 2, 1980, are as follows:

Property Owner: Location: Existing Zoning: Proposed Zoning:

SE/S Old Eastern Ave. & Homberg Ave. B.L. C.S.A. Variance to permit 11 parking spaces in lieu of the required 49 spaces.

William & Stella Ratusnock

Acres: District:

Metropolitan sewer and water exist, therefore no health hazards are anticipated.

15th

Director BUREAU OF ENVIRONMENTAL SERVICES

C

IJF:ph



January 28, 1980

Mr. William Hammond Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: Nick Commodari, Chairman Zoni-z Plans Advisory Committee

Re: Property Owner: William & Stella Ratusnock

SE/S Old Eastern Ave. & Homberg Ave.

Zoning Agenda: Meeting of 1/2/80 Item No:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or ______ feet along an approved road in accordance with Beltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations. () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976

() 6. Site plans are approved as drawn.

Edition prior to occupancy.

(x) 7. The Fire Prevention Bureau has no comments, at this time.

Special Inspection Division

battimore county TOWSON, MARYLAND 21204

Ted Zaleski, Jr.

January 15, 1980

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 2120

Dear Mr. Hammond:

Comments on Item #131 Zoning Advisory Committee Meeting, January 2, 1980 are as follows:

William & Stella Ratusnock Existing Zoning: Proposed Zoning:

SE/S Old Eastern Ave. & Homberg Ave. B.L. - C.S.A. Variance to permit 11 parking spaces in lieu of the

required 49 spaces.

XA. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1978 Edition and the 1971 Supplement, State of Maryland Code for the Handicapped and aged and other applicable codes.

A permit shall be required before construction can begin.

X C. Additional razing, etc. Permits shall be required. D. Building shall be upgraded to new use - requires alteration permit.

E. Three sets of construction drawings will be required to file an application for a building permit.

X P. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal may be required to file an application for a building permit.

G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.

H. Requested setback variance conflicts with the Baltimore County Building Code. See Section ______.

I. No Comment.

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not to be construed as the full extent of any permit.

Charles E. Burnham, Chief

CZB: rrj

BALTIMORE COUNTY PUBLIC SCHOOLS Towson, Maryland - 21204

Robert Y. Dubel, Superintendent

Date: January 11, 1980

Mr. William E. Hammond Zoning Commissioner Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

Z.A.C. Meeting of: January 2, 1980

RE: Item No: 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136 Property Owner: Location: Present Zoning: Proposed Zoning:

District: No. Acres:

Dear Mr. Fammond:

All of the above have no bearing on student population.

Wm. Nick Petrovich, Assistant Department of Planning

Very truly yours,

WNP/bp

WL 23 1956

FRANK S. LEE Registered Land Surveyor

1277 NEIGHBORS AVE. — BALTIMORE, MD. 21237 December 12, 1979

Southeast corner of Old Eastern Avenue and Homberg Avenue 15th District Baltimore County, Maryland

Beginning for the same at the corner formed by the intersection of the south side of Old Eastern Avenue with the east side of Homberg Avenue, thence running and binding on the east side of Homberg Avenue as follows: - South 6 degrees 14 minutes East 76.74 feet, by a line curving to the left with a radius of 130 feet for a distance of 26.87 feet, thence leaving Homberg Avenue for two lines of division as follows: - North 68 degrees 30 minutes East 86.72 feet and North 6 legrees 14 minutes West 80.61 feet to the south side of Old Eastern Avenue, thence running and binding on Old Eastern Avenue South 83 degrees 46 mibutes West 86.40 feet to the place of beginning.

Containing 7975 square feet of land more or less.

ZONING: Petition for Variances parking and front yard setback

Eastern Avenue and Homberg

LATE & TIME: Tuesday, March 28, 1980 at 1:30 P.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland.
The Eoning Commissioner of Baifmore County, by authority of the
Zoning Act and Regulations of
Baltimore County, will hold a public
learing:

Learing:
Petition for Variances to allow 10

Petition for Variances to allow to parking spaces in lieu of the recuired 49 spaces and to allow a front yard setback of 7 feet for the existing dwelling in lieu of the maximum requirement of 27 feet. The Zoning Regulation to be excepted as follows:

Bection 409.2.b(3)—Parking, one for each 50 square feet of total floor

Section 233.1—Front yard area regulations
Section 808.2—Front yard depths in residence and business somes
All that parcel of land in the Fifteenth District of Baltimore County
Beginning for the same at the corner formed by the intersection of the south side of Old Eastern Avenue with the east side of Homberg Avenue, thence running and binding on the east side of Homberg Avenue as follows:—South 6 degrees 14 minutes Bast 76.74 feet, by a line curving to the left with a radius of 130 feet for a distance of 26.87 feet, thence leaving Homberg Avenue for two lines of division as follows:—North 58 degrees 30 minutes East 86.72 feet and North 6 degrees 14 minutes West 80.61 feet to the south side of Old Eastern Avenue, thence

side of Old Eastern Avenue, thence running and binding on Old Eastern Avenue South 83 degrees 46 minutes West 86.40 feet to the place of be-

rinning. Containing 7975 square feet of lan

more or less.

Being the property of William Ratusnock, et uz, as shown on plat plan filed with the Zoning Depart-

ment
Hearing Date: Tuesday, March 25,
1980 at 1:30 P.M.
Public Hearing: Room 103, County Office Building, 111 W. Chesapeake Avenue. Towson, Maryland.
By Order Of
WILLIAM E. HAMMOND.

of Baltimore County

March & managament and appendix

LATE & TIME: Tuesday, March 25,



MILLIAM E. FAMMOND ZONIMG COMMISSIONIER

April 23, 1980

Robert J. Romadka, Esquire Germania Federal Building 809 Eastern Boulevard Baltimore, Maryland 21221

> RE: Petition for Variances SE/S of Old Eastern and Homberg Avenues - 15th Election District William Ratusnock, et ux -Petitioners NO. 80-194-A (Item No. 131)

Dear Mr. Romadka:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours

WILLIAM E. HAMMOND Zoning Commissioner

WEH/srl

Attachments

cc: John W. Hessian, III, Esquire People's Counsel



INTER-OFFICE CORRESPONDENCE

Mr. W. f. Hammond March 11, 1980 Zoning Commissioner John D. Seyffert, Director Office of Planning and Zoning

Petition for Variances for parking and front yard setback Southeast side of Old Eastern Avenue and Hamberg Avenue Petitioner - William Ratusnock, et ux

Petition No. 80-194-A Item 131

Fifteenth District

HEARING: Tuesday, March 25, 1980 (1:30 P.M.)

Since both the restaurant and dwelling are existing uses, this office offers no comment as to whether or not the petitioner's request should be granted.

JDS:JGH:ab

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Miam Returnech et cex

part of eventing duelling boing Hollery

Location of property: 5E15 Cell Eastern dee E

PETITION FOR VARIANCE 200 In 15th District Zoning: Petition for Variance

Location: Southeast side of Old Eastern avenue and

Homberg avenue Date & Time: Tuesday, March

Fublic Hearing: Room 108, County Ofice Building, 111 W.

Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public

Petition for Variances to allow 10 parking spaces in lieu of the required 49 spaces and to allow a front yard setback of 7

feet for the existing dwelling in her of the maximum The Zoning Regulation to b

Section 409.2.b(3)-parking one for each 50 square feet of total floor area Section 232.1 - front yard area regulations. Section 303.2 - front yard depths in residence and business zones
All that percei of land in the Fifteenth District of Baltimore Beginning for the same at the corner formed by the intersection of the south side of

Old Eastern avenue with the

thence, running and binding on the east side of Homberg

avenue as follows: South 6

degrees 14 minutes East 76.74 feet, by a line curving to the left

with a radius of 130 feet for a

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leaving Homberg avenue for two lines of division as follows:

North 68 degrees 30 minutes East 86.72 feet and North 6

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feet to the south side of Old

Eastern avenue, thence running and binding on Old Eastern avenue South 83 degrees 46

minutes West 86.40 feet to the place of beginning.

Containing 7975 square feet of land more or less.

Being the property of William

Ratusnock, et ux, as shown on

plet plan filed with the Zoning

TUESDAY, MARCH 25, 1900

AT 1:30 P.M.

WILLIAM E. HAMMOND

* # of Baltimore County-

The second secon

Public Hearing: Room 106, County Office Building, 111 W.

Hearing Date:

BY ORDER OF

excepted as follows

25, 1980 at 1:30 P.M.

2 rigns

The Essex Times

30-194-A

Date of Posting 3/8/80

This is to Certify, That the annexed Um Katuspach

was inserted in the Essex Times, a newspaper printed and published in Baltimore County, once in 6 th

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 6 19.80 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., amonoinceach day of ____Karch____, 1980_, the first publication appearing on the___6th____day of__ March_____

THE JEFFERSONIAN,

Cost of Advertisement, \$_____

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your Petition has been received this 2/ day of Filing Fee \$ 25

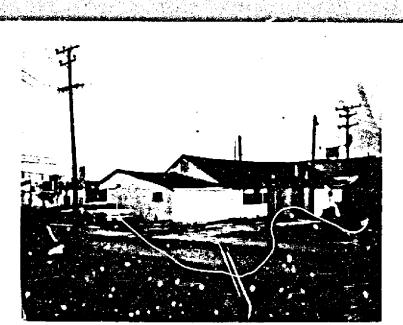
William E. Hammond, Zoning Commissioner

*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

No. 86373 BALTIMORE COUNTY, MARYLAND MISCELLANEOUS CASH RECEIPT DATE March 28, 1980 ACCOUNT 01-662 William R. Ratusnock FOR: Advertising and Posting for Case No. 80-194-4 65.13m 27003AN 2 VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND OFFICE OF FINE CE - REVENUE DIVISION "
MISCELLANEOUS CASH RECEIPT

FOR: Filing Yee for Care No. 80-194-A 21 1 1 SHE 27 25.00 M





PETITION MAPPING PROGRESS SHEET Wall Map Original Duplicate 200 Sheet Tracing FUNCTION date by date by date by date by date by Descriptions checked and outline plotted on map Petition number added to Denied Granted by ZC, BA, CC, CA Revised Plans: Change in outline or description____Yes

he 86302

DATE February 26, 1980 ACCOUNT 01-662

Robert J. Rowadka, Esquire

VALIDATION OR SIGNATURE OF CASHIER

Previous case:

JUL 23 1930

